Name of Policy	ANTI BULLYING AND HARASSMENT POLICY AND PROCEDURES (STUDENT)		
Purpose	To ensure that staff and students are aware that bullying and harassment (including cyber-bullying) will not be tolerated either in or out of College and give guidance on the procedures for dealing with incidents.		
Author / Job Title	Deputy Principal		
Equality Assessment By Whom	Deputy Principal	**Date**	09/2022
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		Date
Approved by	SMT	13th September 2022
	Corporation	n/a

Related policies or procedures or parent policy if applicable	Child & Vulnerable Adult Protection Reporting Procedures Safeguarding Policy E-Safety Policy Student Acceptable Behaviour Policy Tutorial Schemes of Work Equality & Diversity Policy
Groups/bodies consulted in the development of the policy	Equality and Diversity Committee Focus group of students
To be published on College website	Yes
To be published on the Student Hub	Yes

ANTI BULLYING AND HARASSMENT POLICY AND PROCEDURES (STUDENT)

Purpose
To ensure that staff and students are aware that bullying and harassment (including cyber-bullying) will not be tolerated either in or out of College and give guidance on the procedures for dealing with incidents.

Scope   All Students

Responsibility   Deputy Principal

Macclesfield College recognises it has a statutory and moral duty to ensure that the College functions with a view to safeguarding and promoting the welfare of students receiving education and training at Macclesfield College.

We are committed to providing a supportive, friendly, safe and positive environment so that students can learn in a secure atmosphere and get the most out of their experience of college life. Bullying of any kind is anti-social behaviour and affects everyone; it is unacceptable and will not be tolerated.

Bullying may be distinguished from other unacceptable forms of aggression in that it involves dominance of one student by another (or a group of others). Bullying or other forms of harassment can make students' lives unhappy, can hinder academic progress, and can cause truancy or personality changes. In the most extreme cases it can lead students to take their own lives.

Since incidents of bullying and harassment can vary from teasing and horseplay which are not maliciously intended through to serious violence and intimidation threatening the life or mental health of the recipient, it is important to select the appropriate level of response.

This policy and procedure is for student allegations against other students. If a student believes they are being bullied by a member of staff they should follow the formal complaints procedure. If a member of staff believes they are being bullied by a student they should follow the student disciplinary procedure.

Policy
All governors, teaching/training and business support staff have a responsibility to maintain an environment in which all students feel safe and confident to learn.

Bullying/harassment will not be tolerated either in or out of College. Incidents of bullying or cyber-bullying, when identified, must be brought to the attention of appropriate staff, in line with the attached procedures.

The College will encourage an anti-bullying/harassment ethos by:
- informing students of the College's anti-bullying/harassment policy during induction
- informing staff of the College's anti-bullying/harassment policy during staff induction and via CPD
- teaching about effects of bullying/harassment in tutorial

Definition
Bullying/harassment:
- is any deliberate intention to hurt, frighten or intimidate someone
- may involve physical violence, intimidation or emotional threats
- can happen once or can be repeated over a period of time

- makes it difficult for those being bullied to defend themselves.

Cyber-bullying/harassment:
- is bullying via the Internet, interactive and digital technologies or mobile phones. It is where a student is tormented, threatened, harassed, humiliated, embarrassed or otherwise targeted by another through social network sites), text messages, IM's or any other electronic means.

For more in-depth definitions of categories of bullying/harassment see Appendix 1

Procedures

In all cases where an allegation of bullying has been made to a member of staff it must be reported to the Welfare Lead, Enrichment Lead or a Progress Coach (Investigating officers).

The Investigating Officer will undertake an investigation as appropriate ensuring that they make contact with the victim's parents advising them of the investigation and annotate the Promonitor meeting with details. Where possible, allegations should be resolved through mediation to the satisfaction of all parties.

Upon completion of the investigation the Investigating Officer will either:
- deem the incident lacked intent and should issue the aggressor with a verbal warning in accordance with the Acceptable Behaviour Policy and Procedure (Students)
- Promonitor should be completed and any notes should be scanned against the student record within Pro Monitor
- the status should be changed to 'closed'.
- the victim should be advised to return if there is any reoccurrence.
Or
- take a report with recommendations to the appropriate Manager who will complete the disciplinary process as appropriate.
- the aggressor should be notified in accordance with the College's Acceptable Behaviour Policy
- the Investigating Officer will act as Prosecution in the disciplinary and the ProMonitor meeting notes will form part of the evidence for any disciplinary action.
- the meeting details should be completed after the disciplinary hearing with the outcome the disciplinary paperwork should be held in the central disciplinary file
- the status should be amended to 'closed
- the victim should be advised to return if there is any reoccurrence.

In all cases the Investigating Officer will contact the victim and their parents to advise them of the outcome of the investigation.

Guidance for conducting an investigation

Both parties will be instructed to keep the allegation confidential and not to make contact with the other parties' witnesses.

The Investigating Officer will meet separately with both parties and their respective representatives, if any. Staff should be aware of any additional needs and seek advice and support before conducting interviews as appropriate. Detailed written statements will be taken, which the relevant parties should sign and date, confirming that they agree with the statements collected. Both parties should be given the opportunity to nominate witnesses whom they wish to be interviewed.

The Investigating Officer will, on completion of the investigation, review the material collected and decide whether the complaint is substantiated. They will be responsible for compiling a report of their findings and both parties will be advised of the outcome in writing.

The following should be taken into account when investigating allegations of bullying/harassment:

- if a reasonable assumption can be made that the behaviour was **not known** to be bullying the alleged bully should be challenged and told their behaviour is unacceptable, that may be enough to stop it. They may have been unaware that their behaviour is offensive or unwanted and therefore a verbal warning and education of appropriate behaviour is sufficient.
- if a reasonable assumption can be made that the behaviour was **known** to be bullying the student should be placed at the appropriate stage of the Acceptable Behaviour Policy and Procedure (Students). This may involve a temporary suspension from College until the complaint is resolved.
- when making a recommendation for sanctions staff should consider the intent of the aggressor and the severity of the action.

In cases where there are no witnesses it will be one person's word against another and the Investigating Officer will consider whether on the balance of probabilities, the incidents/actions occurred.

Should somebody make an unfounded allegation of bullying/harassment for malicious reasons it should be investigated under the College's Acceptable Behaviour Policy.

Monitoring
Where an allegation is upheld, it is the responsibility of the aggressor's Progress Coach to seek to ensure that there is no subsequent victimisation, either by them or their friends. If a disciplinary takes place it should be made clear that reprisals will not be tolerated and will be treated as seriously as the original complaint.

The Counselling service will be made available to both parties of the allegation, irrespective of outcome. Counselling may be of assistance where investigations have shown no cause for disciplinary action, or may help support the person accused whilst the investigation is on-going.

Reporting
The Welfare Lead will oversee all Bullying and Harassment issues in College and will provide advice and guidance to staff as required. They will also provide the Senior Management Team and the Safeguarding Strategy Committee with reports on incidents and actions taken.

Appendix One: Definitions of Harassment

Bullying

- Bullying is a form of harassment which intimidates, undermines, coerces or humiliates the individual to whom it is directed. It includes actions, comments, physical contact or behaviour which is found to be objectionable by the recipient. It can take place in public or in private. The alleged bully may claim, or may not actually have malicious intent and may regard his/her behaviour as a 'laugh'. The key issue is how it makes the recipient feel.

- Bullying may take the form of:
    - physical abuse: actual assault; threatening and derogatory gestures and facial expressions; hostile looks and staring
    - verbal abuse: spoken, texted or pictorial words and images which are threatening, defamatory or humiliation, including gossip, jokes and banter
    - non-verbal: isolation; exclusion from talk or activities; hiding or damaging personal belongings or other practical jokes; offensive graffiti, text messages, emails or notes
    - Cyber-bullying: targeted harassment through electronic means. It is cyber-bullying when both parties are under 18, should one or more parties be 18 or over it becomes cyber harassment or cyber stalking dependent on the level/nature of intimidation

Harassment
- Harassment includes any verbal or physical abuse, unwanted behaviour or advances. Harassment may be behaviour the recipient finds offensive and which causes them to feel humiliated, threatened, distressed or patronised. The creation of an intimidating or demeaning working or learning environment may also constitute harassment.
- Harassment may be deliberate or unconscious, repeated action or an isolated incident. Harassment can be deemed to have occurred even if the perpetrator does not intend it as such.

Sexual Harassment
- Sexual harassment means unwanted conduct of a sexual nature, or other conduct based on sex affecting the dignity of women and men at college. This can include unwanted physical, verbal or non-verbal conduct.
- Sexual harassment can include the following:
    - unwelcome sexual advances whether of a verbal or physical nature up to and including demands for sexual favours
    - unnecessary touching, patting, pinching or brushing against someone's body
    - unwelcome comments about a person's sexual attractiveness or body parts
    - personal body space. It is important to recognise the close proximity which falls short of actual physical touch can also be unwelcome or uncomfortable
    - verbal and written harassment through jokes, offensive language, gossip, slanderous letters, email messages comments on social network sites
    - display or circulation of pornographic, offensive or suggestive material, including photographs, posters and emails
    - derogatory comments about the ability or intelligence of one or other gender
    - talking about sex or sexual activities in circumstances where others cannot avoid overhearing.
    - Upskirting

Racial Harassment
- Racial Harassment can include the following:
    - physical abuse or intimidation on grounds of racial or ethnic background
    - racist language or abuse

- racist jokes including those made about any ethnic group
- isolation, non-co-operation, or exclusion from talk or activities, either inside or outside the classroom on grounds of racial or ethnic background
- visual display of racially offensive posters, graffiti, gestures or emblems.

Harassment of People with a Disability
- The forms of harassment which people with a disability are commonly subjected to are as follows:
  - jokes about a person's disability, not only in relation to those who have any form of physical impairment, but also those who have a learning disability
  - unwanted or patronising comments which draw attention to the person's impairment
  - unwanted or patronising comments which draw attention to any aids or equipment they may use, such as a wheelchair or hearing aid
  - stereotyped comments in relation to the capability of a person with a disability
  - isolation, refusal to assist, non-co-operation or exclusion from talk or activities, whether inside or outside the classroom
  - abuse directed at a person's disability.

Harassment on the Grounds of Sexual or Gender Orientation
- Harassment on the grounds of an individual's sexual or gender orientation may result in offence being caused to the dignity of the recipient.
- Harassment on the grounds of sexual or gender orientation may take the form of:
  - physical abuse or intimidation on grounds of a person's sexuality or gender
  - jokes, innuendo and teasing aimed at an individual's sexual or gender orientation
  - threatening to publicise the fact that someone is lesbian or gay, or actually publicising this without their permission
  - isolation, non-co-operation or exclusion from talk or activities, either inside or outside the classroom

Harassment of Individuals on Religious Grounds
- Harassment on the grounds of religion may take the form of:
  - physical abuse or intimidation on grounds of religious beliefs
  - derogatory references being made to a person's religious beliefs and/or practices
  - innuendo and teasing on the basis of religious beliefs